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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Benin, Chad, Democratic People's Republic of Korea, Egypt, Jordan, Morocco, Sri Lanka, Syrian Arab Republic, Tunisia and Viet Nam: draft resolution

Globalization and its impact on the full enjoyment of all human rights

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations, and expressing, in particular, the need to achieve international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction,

Recalling the Universal Declaration of Human Rights,[1] as well as the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[2] the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001,[3] the outcome document of the Durban Review Conference, adopted on 24 April 2009,[4] and the political declaration of the high-level meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action, entitled "United against racism, racial discrimination, xenophobia and related intolerance", of 22 September 2011,[5]

Recalling also the International Covenant on Civil and Political Rights[6] and the International Covenant on Economic, Social and Cultural Rights,[6]

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[1] Resolution 217 A (III).
[2] A/CONF.157/24 (Part I), chap. III.
[3] See A/CONF.189/12 and Corr.1, chap. I.
[4] See A/CONF.211/8, chap. I.
[5] Resolution 66/3.
[6] See resolution 2200 A (XXI), annex.

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Recalling further the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Recalling the United Nations Millennium Declaration[7] and the outcome documents of the twenty-third[8] and twenty-fourth[9] special sessions of the General Assembly, held in New York from 5 to 10 June 2000 and in Geneva from 26 June to 1 July 2000, respectively,

Recalling also its resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development",

Recalling further its resolutions 66/154 of 19 December 2011, 67/165 of 20 December 2012, 68/168 of 18 December 2013 and 69/173 of 18 December 2014,

Recalling Commission on Human Rights resolution 2005/17 of 14 April 2005 on globalization and its impact on the full enjoyment of all human rights,[10]

Recalling also Human Rights Council resolutions 21/5 of 27 September 2012[11] on the contribution of the United Nations system as a whole to the advancement of the business and human rights agenda and the dissemination and implementation of the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework,[12] 26/9 of 26 June 2014[13] on the elaboration of an international legally binding instrument on transnational corporations and other business enterprises with respect to human rights, 26/22 of 27 June 2014[14] on human rights and transnational corporations and other business enterprises and 27/30 of 26 September 2014,[15] entitled "Effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights: the activities of vulture funds",

Recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Realizing that globalization affects all countries differently and makes them more exposed to external developments, positive as well as negative, inter alia, in the field of human rights,

Realizing also that globalization is not merely an economic process, but that it also has social, political, environmental, cultural and legal dimensions, which have an impact on the full enjoyment of all human rights and fundamental freedoms,

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[7] Resolution 55/2.

[8] Resolution S-23/2, annex, and resolution S-23/3, annex.

[9] Resolution S-24/2, annex.

[10] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

[11] See *Official Records of the General Assembly, Sixty-seventh Session, Supplement No. 53A* (A/67/53/Add.1), chap. III.

[12] A/HRC/17/31, annex.

[13] See *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. V, sect. A.

[14] Ibid.

[15] Ibid., *Supplement No. 53A* (A/69/53/Add.1), chap. IV, sect. A.

Emphasizing the need to fully implement the global partnership for development and enhance the momentum generated by the 2005 World Summit in order to operationalize and implement the commitments made in the outcomes of the major United Nations conferences and summits, including the 2005 World Summit, in the economic, social and related fields, and reaffirming in particular the commitment contained in paragraphs 19 and 47 of the 2005 World Summit Outcome[16] to promote fair globalization and the development of the productive sectors in developing countries to enable them to participate more effectively in and benefit from the process of globalization,

Realizing the need to undertake a thorough, independent and comprehensive assessment of the social, environmental and cultural impact of globalization on societies,

Recognizing in each culture a dignity and value that deserve recognition, respect and preservation, convinced that, in their rich variety and diversity and in the reciprocal influences that they exert on one another, all cultures form part of the common heritage belonging to all humankind, and aware of the risk that globalization poses more of a threat to cultural diversity if the developing world remains poor and marginalized,

Recognizing also that multilateral mechanisms have a unique role to play in meeting the challenges and opportunities presented by globalization,

Realizing the need to consider the challenges and opportunities linked to globalization with a view to addressing such challenges and building on possible opportunities in order to achieve the full enjoyment of all human rights,

Emphasizing the global character of the migratory phenomenon, the importance of international, regional and bilateral cooperation and the need to protect the human rights of migrants, particularly at a time in which migration flows have increased in the globalized economy,

Expressing grave concern at the negative impact of international financial turmoil on social and economic development and on the full enjoyment of all human rights, particularly in the light of the continuing global financial and economic crisis, which may have an adverse impact on the ability of Member States to implement the sustainable development agenda, and recognizing that developing countries are in a more vulnerable situation when facing such impact and that regional economic cooperation and development strategies and programmes can play a role in mitigating such impact,

Expressing deep concern at the negative impact of the continuing global food and energy crises and climate change challenges on social and economic development and on the full enjoyment of all human rights for all,

Recognizing that globalization should be guided by the fundamental principles that underpin the corpus of human rights, such as equity, participation, accountability, non-discrimination, transparency, inclusivity and equality at both the national and the international levels, respect for diversity, tolerance and international cooperation and solidarity,

[16] Resolution 60/1.

Emphasizing that the existence of widespread extreme poverty inhibits the full realization and effective enjoyment of human rights and that its immediate alleviation and eventual elimination must remain a high priority for the international community,

Acknowledging that there is greater acceptance that the increasing debt burden faced by the most indebted developing countries is unsustainable and constitutes one of the principal obstacles to achieving sustainable development and poverty eradication and that, for many developing countries, excessive debt servicing has severely constrained their capacity to promote social development and to provide basic services to realize economic, social and cultural rights,

Strongly reiterating the determination to ensure the timely and full realization of the sustainable development goals and objectives agreed at the major United Nations conferences and summits, including those agreed at the United Nations summit for the adoption of the post-2015 sustainable development agenda, which aim to galvanize efforts towards poverty eradication,

Gravely concerned at the inadequacy of measures to narrow the widening gap between the developed and the developing countries, and within countries, which has contributed to, inter alia, deepening poverty and has adversely affected the full enjoyment of all human rights, in particular in developing countries,

Emphasizing that transnational corporations and other business enterprises have a responsibility to respect all human rights,

Emphasizing also that human beings strive for a world that is respectful of human rights and cultural diversity and that, in this regard, they work to ensure that all activities, including those affected by globalization, are consistent with those aims,

1. *Underlines* the need for transnational corporations and other business enterprises to be held accountable under international human rights and humanitarian law for human rights violations, and to this end recognizes that these entities, as the owners of global wealth and key drivers of globalization, must contribute to the requisite means of implementation for the realization of the right to development and the ending of global poverty;

2. *Strongly underlines* that the phenomenon of globalization and its negative impact on the economies of the developing countries have brought about disparities in the equitable sharing of the benefits of globalization, and emphasizes that issues such as trade and trade liberalization, transfer of technology, infrastructure development and market access require effective management in order to mitigate the challenges of poverty and underdevelopment, implement the unfinished Millennium Development Goals and make the right to development and "Transforming our world: the 2030 Agenda for Sustainable Development"[17] a reality for everyone;

3. *Welcomes* the adoption by the Heads of State and Government and High Representatives, meeting at United Nations Headquarters in New York from 25 to 27 September 2015, of the 2030 Agenda for Sustainable Development;

4. *Recognizes* that, while globalization, by its impact on, inter alia, the role of the State, may affect human rights, the promotion and protection of all human rights is first and foremost the responsibility of the State;

[17] Resolution 70/1.

5. *Emphasizes* that development should be at the centre of the international economic agenda and that coherence between national development strategies and international obligations and commitments is imperative for an enabling environment for development and an inclusive and equitable globalization;

6. *Reaffirms* that narrowing the gap between rich and poor, both within and between countries, is an explicit goal at the national and international levels, as part of the effort to create an enabling environment for the full enjoyment of all human rights;

7. *Also reaffirms* the commitment to create an environment at both the national and the global levels that is conducive to development and to the eradication of poverty by, inter alia, promoting good governance within each country and at the international level, eliminating protectionism, enhancing transparency in the financial, monetary and trading systems and committing to an open, equitable, rules-based, predictable and non-discriminatory multilateral trading and financial system;

8. *Recognizes* the impacts that the global financial and economic crisis is still having on the ability of countries, particularly developing countries, to mobilize resources for development and to address the impact of this crisis, and in this context calls upon all States and the international community to alleviate, in an inclusive and development-oriented manner, any negative impacts of this crisis on the realization and the effective enjoyment of all human rights;

9. *Also recognizes* that, while globalization offers great opportunities, the fact that its benefits are very unevenly shared and its costs unevenly distributed represents an aspect of the process that affects the full enjoyment of all human rights, in particular in developing countries;

10. *Welcomes* the report of the United Nations High Commissioner for Human Rights on globalization and its impact on the full enjoyment of human rights,[18] which focuses on the liberalization of agricultural trade and its impact on the realization of the right to development, including the right to food, and takes note of the conclusions and recommendations contained therein;

11. *Reaffirms* the international commitment to eliminating hunger and to securing food for all, today and tomorrow, and reiterates that the relevant United Nations organizations should be assured the resources needed to expand and enhance their food assistance and support social safety net programmes designed to address hunger and malnutrition, when appropriate, through the use of local or regional purchase;

12. *Calls upon* Member States, relevant agencies of the United Nations system, intergovernmental organizations and civil society to promote inclusive, equitable and environmentally sustainable economic growth for managing globalization so that poverty is systematically reduced and the international development targets are achieved;

13. *Recognizes* that the responsible operations of transnational corporations and other business enterprises can contribute to the promotion, protection and fulfilment of all human rights and fundamental freedoms, in particular economic, social and cultural rights;

[18] E/CN.4/2002/54.

14. *Also recognizes* that only through broad and sustained efforts, including policies and measures at the global level to create a shared future based upon our common humanity in all its diversity, can globalization be made fully inclusive and equitable and have a human face, thus contributing to the full enjoyment of all human rights;

15. *Underlines* the urgent need to establish an equitable, transparent and democratic international system to strengthen and broaden the participation of developing countries in international economic decision-making and norm-setting;

16. *Affirms* that globalization is a complex process of structural transformation, with numerous interdisciplinary aspects, which has an impact on the enjoyment of civil, political, economic, social and cultural rights, including the right to development;

17. *Also affirms* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that promotes and protects human rights while ensuring respect for the cultural diversity of all;

18. *Underlines*, therefore, the need to continue to analyse the consequences of globalization for the full enjoyment of all human rights;

19. *Takes note* of the report of the Secretary-General,[19] and requests him to continue to seek further the views of Member States and relevant agencies of the United Nations system and to submit to the General Assembly at its seventy-first session a substantive report on the subject based on those views, including recommendations on ways to address the impact of globalization on the full enjoyment of all human rights.

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[19] A/70/154.